



STATE OF MICHIGAN

JENNIFER M. GRANHOLM
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
LANSING

REBECCA A. HUMPHRIES
DIRECTOR

RESUBMITTED: April 20, 2005
May 9, 2005

Memorandum to the Natural Resources Commission:

SUBJECT: Ground Blinds for Bear Hunters

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

The Natural Resources Commission (NRC) and the Department were asked to consider expanding the use of constructed ground blinds on public lands to include bear hunting and baiting time periods. These blinds have been restricted to the November and December deer hunting seasons since the 1990's to address the territoriality issues associated with their use.

The number of bear hunters and the availability of bear licenses has increased since the 1990's. Baiting practices have also undergone several changes in the past 15 years. In an attempt to address hunter requests, it is recommended that bear hunters be allowed to place constructed ground blinds on state lands in bear management units open to bear hunting for which they have a bear license beginning August 10 in Zone 1 units and in Zone 2 units beginning August 17. Blinds must be removed within 5 days of a bear being harvested, or within 5 days of the end of the bear season for which the hunter has a license. Constructed ground blinds on all Zone 1 and Zone 2 public lands not open to bear hunting shall remain legal from November 5 to the end of the annual deer season.

This recommended change shall remain in effect for three years at which time it will be evaluated regarding the social acceptance of this change based on number of public complaints on territoriality issues, trash complaints and general social acceptance.

Recommendation:

This order is being submitted for information and consideration. It will be submitted for final action in June 2005.

William E. Moritz, Chief
Wildlife Division

Alan Marble, Chief
Law Enforcement Division

Arminda S. Koch
Resource Management Deputy

Dennis Fedewa
Chief Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

Rebecca A. Humphries
Director

WILDLIFE CONSERVATION ORDER

Amendment No.11 of 2005

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources ordered that effective June 3, 2005, the following sections of the Wildlife Conservation Order shall read as follows:

2.9 “Ground blind” defined; requirements to use, occupy, place, build, construct, or maintain a ground blind on publicly owned lands; use or placement of blind does not convey exclusive hunting right.

Sec. 2.9. (1) For the purposes of this section, “ground blind” means a structure, enclosure, or any material, natural or manufactured, placed on the ground to elevate or otherwise assist in concealing or disguising the user or occupant for the purpose of taking an animal except for commercially manufactured ladder stands which lean up against and require the support of a tree to maintain their upright position.

(2) A person may use, occupy, place, build, construct, or maintain a ground blind on publicly owned lands only if one of the following applies:

(a) The ground blind is constructed exclusively of dead and natural materials found on the ground in the area where the blind is constructed, except that cloth, netting, plastic or other materials may be used by the occupant of a ground blind if the cloth, netting, plastic or other materials are not fastened to the blind and are carried out by the user at the end of each day’s hunt. For the purposes of this section, “fastened” means stapled, nailed, glued, or other means of permanent attachment other than tying.

(b) The ground blind is clearly a portable blind and is removed at the end of each day’s hunt. Fasteners, if used to attach or anchor a portable blind, shall be removed at the end of each day’s hunt and shall not consist of any item that penetrates the cambium of a tree.

(c) The ground blind is a temporary ground blind constructed of materials other than dead and down materials found on the ground in the area where the blind is constructed and which meets all of the following conditions:

(i) The blind for deer hunting purposes is not located upon publicly owned lands from the day following the last day of the open deer season to November 5 unless allowed by the public agency administering the land on which the blind is located. A ground blind located on publicly owned lands anytime during the period defined in this subsection shall be considered an abandoned ground blind.

(ii) The blind for bear hunting purposes is not located upon publicly owned lands from five days after bear season closes to August 10 in the Amasa, Baraga, Bergland, Carney, Gwinn, and Newberry Bear Management Units; to August 17 in the Red Oak, Baldwin, and Gladwin Bear Management Units; except successful bear hunters must remove their ground blind within 5 days of harvesting a bear. A ground blind located on publicly owned lands anytime during the period defined in this subsection shall be considered an abandoned ground blind.

(iii) The name and address of the licensed bear hunter in the Bear Management Unit where licensed, or, outside of the bear season, the person placing the ground blind, is permanently attached, etched, engraved, or painted on the ground blind.

(iv) Fasteners, if used to attach or anchor a temporary ground blind, shall be removed with the blind and shall not consist of any item that penetrates the cambium of a tree.

(3) This section shall not apply to blinds constructed and used for taking waterfowl as described in section 3.401 or structures constructed by a public agency upon lands administered by that public agency.

(4) The placement or use of a ground blind on publicly owned lands shall in no way convey exclusive hunting rights to the area surrounding that blind.

(5) A ground blind that does not meet the requirements of subsection (2) shall be an illegal ground blind. A person shall not use an illegal ground blind.

(6) Only ground blinds which meet the requirements of subsections (2)(a) or (2)(b) may be used in state game areas, state recreation areas and state parks that are located in zone 3.

Issued this 2nd day of June, 2005.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rebecca A. Humphries
Director